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FACT SHEET
POST-CLOSURE CARE PERMIT
NAVAJO REFINING COMPANY
ARTESIA REFINERY
EPA ID No. NMD 048918817

Introduction

The purpose of this fact sheet is to notify the public that the New Mexico Environment Department (NMED) is contemplating the issuance of a permit for post-closure care of the North Colony Landfarm (NCL) land treatment unit, the Tetra-ethyl Lead (TEL) surface impoundment and the Evaporation Ponds surface impoundment at Navajo Refining Company's (Navajo) Artesia Refinery regulated under the Resource Conservation and Recovery Act (RCRA). The Artesia Refinery is an operating refinery located in Township 17 South, Range 26 East, Sections 1, 2, 9, 10, 11, 12 and the southern portion of Township 17 South, Range 27 East Section 6, Eddy County, New Mexico. Details of the refinery location, the location of the NCL, TEL, Evaporation Ponds and refinery operations are included in the Permit Application titled "RCRA Part A and Part B Post-closure Permit Application, Navajo Refining Company, Artesia, New Mexico". NMED is requesting public comment on this proposed action.

Background

The NCL is an approximately 4.25-acre land treatment unit located adjacent to the north of aboveground diesel storage tanks 834 and 838. The NCL received hazardous wastes (K049, K050, K051 and K052) between 1980 and 1990. The New Mexico Environmental Improvement Division (NMEID) issued a land treatment demonstration permit for the NCL to Navajo in 1989. A land treatment permit was not issued after the land treatment demonstration permit expired in 1990. Soil and groundwater beneath the NCL has been affected by possible releases from the landfarm and from petroleum releases from the adjacent tank farm (Tanks 834 and 838) located south of the NCL.

The TEL site (tetra ethyl lead weathering site) is an approximately 0.9-acre surface impoundment used to treat oily wastes and other hazardous materials. The unit also was used historically for weathering of pipe and other materials used in tetra ethyl lead processes. The piping and other process materials were removed from the site after weathering. Nonhazardous wastes were placed in the TEL site between 1980 and 1983. Placement of waste in the TEL site was discontinued in 1983. The TEL surface impoundment was capped with crushed and compacted caliche and revegetated in 1989. Closure was approved by NMEID in June 1989. Post-closure care is in effect.

The Evaporation Ponds (surface impoundments) are located adjacent to the Pecos River approximately three miles east of the refinery. There are a total of five evaporation ponds. Pond 1 received refinery wastewater from the early 1930s until 1987 and is considered a part of solid waste management unit (SWMU) 4. Ponds 2, 3, 5, and 6 were constructed between 1966 and 1988. The combined surface area of evaporation ponds 2-6 is approximately 95 acres. Wastewater effluent discharged directly from the refinery to Pond 1 via an open ditch (Three-Mile Ditch [TMD]) until 1987. In 1987, discharge to Pond 1 was discontinued and Pond 1 was taken out of service. Refinery wastewater was discharged from the refinery, through a wastewater conveyance pipe that replaced the TMD, to Pond 2 between 1987 and 1994 and to pond 5 between 1994 and 1999. Discharge to Ponds 2, 3, 5 and 6 was discontinued in September 1999 as part of compliance with an Administrative Order on Consent between Navajo Refining Company, the U.S. Environmental Protection Agency and the State of New Mexico. Navajo began operation of an on-site wastewater treatment system that discharges to the City of Artesia Publicly Owned Treatment Works (POTW) and to a Class I injection well owned by Navajo in October 1999. The Class I injection well operates under a discharge permit issued by the New Mexico Oil Conservation Division (OCD).

Post-closure care requirements shall remain in place at the NCL, TEL and Evaporation Ponds for 30 years after closure, unless the post-closure period is shortened or lengthened pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.117(a)(2)). The Permittee is required to implement a groundwater monitoring program, consisting of monitoring and sampling monitoring wells in the vicinity of these units until completion of corrective action and the demonstration of attainment of soil and groundwater cleanup standards for three years, pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.96, 264.97 and 264.98).

Terms of Post-closure Care

Post closure-care will be implemented at the NCL, TEL and Evaporation Ponds by conducting site investigation activities and scheduled soil and groundwater monitoring during the post-closure care period. The NCL will be covered by approximately six inches of clean soil and revegetated using plants native to the area to reduce the possibility of airborne migration of residual waste constituents from the unit. The NCL will be irrigated at the beginning of the revegetation process in order to encourage plant growth. The TEL is capped with an engineered cover. The engineered cover will be inspected on a regular basis during the post-closure care period to ensure that the integrity of the cap is maintained. Soil and groundwater investigation activities will be conducted at the Evaporation Ponds location prior to determining closure and post-closure care requirements for Evaporation Ponds 2-6 and adjoining Pond 1 (SWMU #4). The details of post-closure care are presented in the Draft Permit and Part B of the Post-closure Care Permit Application.

Corrective Action Program

Corrective actions will be conducted at the Evaporation Ponds and at Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) located at the facility. Refinery-related contamination is present in soil and groundwater at several locations beneath the facility and also has been documented to be present off-site to the east of the Refinery. The corrective actions outlined in the Permit include investigation and monitoring of confirmed and suspected releases of hazardous waste and/or petroleum-related and hazardous constituents. Data obtained during the site investigation and monitoring activities will be compared to applicable New Mexico cleanup standards and risk-based cleanup goals in order to assess the need for further corrective action including corrective measures and monitoring. The primary objective of the corrective action is to control the migration of hazardous constituents in groundwater and to control the exposure of human and ecological receptors to contaminants of concern. The corrective action requirements and procedures are described in Module 4 and Appendices A through E of the draft Permit.

Permit Issuance Procedures

Comments regarding this Draft Permit, including a request for a public hearing, should be submitted to the following address:

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Or by e-mail hazardous_waste_comment@nmenv.state.nm.us
Ref: Navajo Refining Company Post-closure Care Permit

Comments will be accepted if hand delivered prior to 5:00 p.m. on March 31, 2003 or postmarked on or before March 31, 2003. A public hearing will be held if requested during the public comment period that ends on March 31, 2003. If a hearing is requested, public notice of the hearing will be given after the end of the public comment period and at least 30 days prior to the hearing. The public comment period will be extended until the close of the public hearing. The hearing will be held in accordance with the procedures specified at 20 NMAC 4.1.901.E.

The Secretary of the NMED will issue a response to comments at the time of the final Permit decision. If the Secretary approves the Permit, the Permit will become effective 30 days after notice of the Secretary's decision has been served on the Applicant. Appeals of the Secretary's decision may be made in accordance with the New Mexico Hazardous Waste Act (HWA). Additional information may be obtained by contacting the NMED Hazardous Waste Bureau at (505) 428-2500.